Application Number 10/533489
Response to the Office Action dated 9/25/2007

REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks. Claims 1, 6, 8, 12, and 13 are amended; no new matter has been added. Support in the specification for the resistor and resistor aggregate being made of metal is given on page 17, line 16; support for the electrodes formed by plating is given at page 18, line 10. Claim 6 is amended editorially and support for the solder layer is given on page 22, lines 2-16. Support for new claim 34 is given in Figure 4. Claims 18-33 were previously canceled. Claims 1-17 and 34 are pending.

The rejection under 35 U.S.C. §102(b)

Applicants traverse the rejection of claims 1-7 as being anticipated by Tsunoda '068. Tsunoda '068 does not disclose nor can it be inherent in Tsunoda '068 to have a chip resistor body made of a metal, as required by claim 1. Tsunoda '068 specifically teaches that the resistor body is ceramic with reference to column 4, lines 56-57.

Applicants further traverse the rejection of claims 1-7 as being anticipated by Tsunoda '068 because claim 1 requires that the electrodes be plated. Tsunoda '068 specifically teaches that the electrodes are made by covering the end of ceramic bodies with a conductive paste which is then dried and baked, *see* column 7, lines 8-9.

Claim 1, therefore, cannot be anticipated because Tsunoda '068 does not disclose nor is it inherent in Tsunoda '068 to have a chip resistor body made of metal.

Applicants further assert that it would not be obvious to one of skill in the art to modify Tsunoda '068 to realize a chip resistor body made of metal, as claimed. Applicants claim a resistor body made of metal because metal inherently has a low resistance. A reason to have a resistor body of metal is, *inter alia*, to decrease the resistance of the resistor to 0.5 milliohms to 100 milliohms as described in the specification at page 19, lines 23-25. A ceramic resistor body as taught by Tsunoda '068 will not achieve these resistance values. The motivation to use a ceramic body as taught by Tsunoda '068 is to provide a resistor element having improved soldering heat resistance and improved soldering adhesion properties. Modification of Tsunoda '068 to

achieve the claimed invention renders Tsunoda '068 unsatisfactory for its intended purpose which, from a legal perspective, precludes obviousness of Applicants' claims.

Claims 2-7 and 34 are allowable at least by virtue of their dependence upon independent claim 1. Applicants do not concede the correctness of the rejection. Applicants request allowance of claims 1-7 and 34.

The rejections under 35 U.S.C. §103(a)

Applicants further traverse the rejection of claims 8 and 11-12 as being obvious over Caporali '212 and Tsunoda '068. Neither Tsunoda '068 nor Caporali '212 teach or suggest a resistor aggregate made of a metal, as required by claims 8 and 12; both Tsunoda '068 and Caporali '212 teach resistor bodies made of ceramic. Caporali '212, moreover, is directed to the problem of maintaining an appropriate temperature coefficient of electrical resistance. *See* Caporali '212 at column 1, lines 10-14. Tsunoda '068, as stated above, is intended to achieve greater adhesion of solder and improved heat resistance during soldering. In either case, substituting ceramic for the claimed resistor aggregate of metal would negate both solutions to the problems purportedly solved by Caporali '212 and Tsunoda '068. There can be no interchangeability of a resistor aggregate of metal, as claimed, with the ceramic resistor bodies because, as stated, not only are the intended uses of Tsunoda '068 and Caporali '212 destroyed, but also the intended lowered resistance achieved by the resistor aggregate of metal in Applicants' claimed invention cannot be realized.

In addition, Caporali '212 does not teach that the electrodes are formed by plating as required by claims 8 and 12. Caporali '212 specifically teaches at column 1, line 52 through column 2, lines 41-45 that electrodes are formed by an immersion [immension] process.

Claim 11 is allowable at least by virtue of its dependence upon claim 8. Applicants do not concede the correctness of the rejection. Applicants request the rejection of claims 8 and 11-12 under 35 U.S.C. §103(a) be withdrawn.

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Applicants further traverse the rejection of claims 9 and 10 as being obvious over Caporali '212, Tsunoda '068 and Doi '055. Claims 9 and 10 are allowable at least by virtue of their dependence upon independent claim 8. Doi '055 also does not correct the deficiencies of Caporali '212 and Tsunoda '068 as discussed above. Doi '055 teaches that the resistor body 2 is made of an electrically insulating material which provides a high resistance, quite different from an intended effect of the claimed resistor aggregate made of metal to lower resistance of the resistor. Applicants thus request that the rejection of claims 8 and 11-13 as being obvious under 35 U.S.C. §103(a) be withdrawn.

Applicants also traverse the rejection of claims 13-17 as being obvious in view of Caporali '212, Tsunoda '068, and Kobayashi '942. As above, Kobayashi '942 cannot correct the deficiencies of Caporali '212 and Tsunoda '068. No reference cited in the rejection teach preparing a bar portion made of a metal or electrodes formed by plating, as required by claim 13. Claims 14-17 are allowable at least by virtue of their dependence upon claim 13. Applicants do not concede the correctness of the rejection. Applicants request that the rejection of claims 13-17 be withdrawn.

Applicants request allowance of the claims 1-17 and 34 in view of the amendments and remarks submitted above. Should any issues remain that could easily be resolved with a telephone call, the Examiner is invited to telephone Mr. Douglas P. Mueller, Reg. No. 30,300 at 612.455.3804.

Respectfully submitted,

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